



Area Plan Commission of Tippecanoe County, Indiana

April 20, 2023
Ref. No.: 2023-082

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, Indiana 47901

CERTIFICATION

RE: Z-2890 BUCKINGHAM PROPERTIES, LLC (R1 TO R3):

Petitioner is requesting a rezone of 22.108 acres for a proposed multi-family development located east of Hadley Moors Subdivision, on the west side of the future realigned Yeager Road, north of West Lafayette's city limits, in Wabash 36 (SE) 24-5.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 19, 2023, the Area Plan Commission of Tippecanoe County voted 13 yes - 3 no on the motion to rezone the subject real estate from R1 to R3. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at its May 1, 2023 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

David Hittle
Executive Director

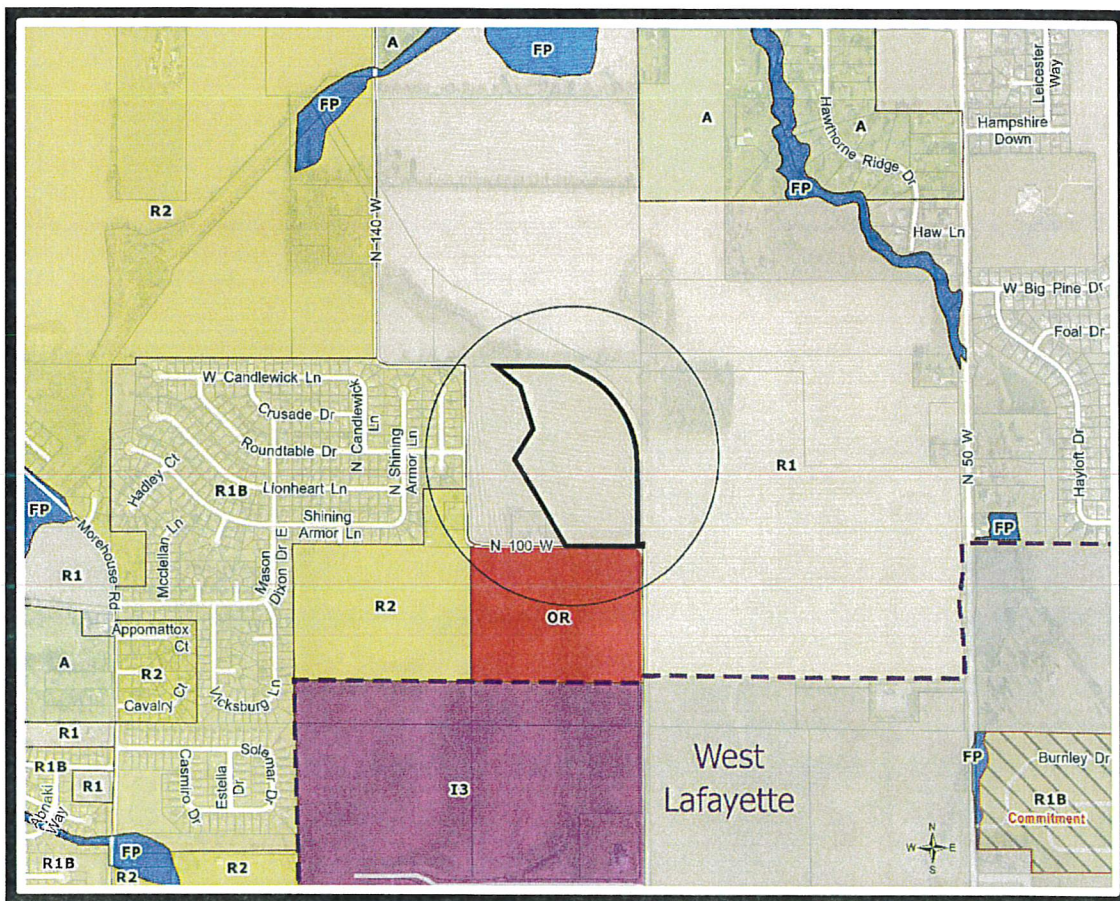
DH/kl

Enclosures: Staff Report & Ordinances

cc: Nathan Harris, Buckingham Properties, LLC
Kate Borkowski, Special Trustee, William L. Parkinson Trust
Ryan Munden, Reiling Teder & Schrier
Mike Wolf, Building Commissioner

Z-2890
BUCKINGHAM PROPERTIES, LLC
(R1 to R3)

STAFF REPORT
April 13, 2023



Z-2890
BUCKINGHAM PROPERTIES, LLC
R1 to R3

Staff Report
April 13, 2023

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of the owner, trustee William Parkinson, and represented by attorney Ryan Munden, is requesting a rezone of 22.108 acres for a proposed multi-family development located east of Hadley Moors Subdivision, on the west side of the future realigned Yeager Road, north of West Lafayette's city limits, in Wabash 36 (SE) 24-5.

Wabash and Tippecanoe Townships are currently in the process of developing new township land use plans. The planning process began late last year and should be finished later this year.

ZONING HISTORY AND AREA ZONING PATTERNS:

This site is currently zoned R1, Single-family residential; it has been zoned R1 since the inception of zoning in the county. Single-family zoning is adjacent to the east, north and west. OR (Office Research) zoning is adjacent to the south. To the southwest of this site is a tract of land zoned R2, Two-family and Single-family residential. Another request is also on this APC agenda for multi-family zoning to the southeast of this site across Yeager Road (Z-2889).

AREA LAND USE PATTERNS:

This site is currently in row crop production. All adjacent land is also in row crop production. To the west is Hadley Moors, a single-family subdivision. If these two multi-family requests are approved, they would be the only multi-family developments north of Kalberer Road and east of Morehouse Road in the county.

TRAFFIC AND TRANSPORTATION:

The zoning ordinance requires two spaces per dwelling unit for multi-family housing.

This site has frontage on the Yeager Road extension on the east and CR 100 W on the south. Petitioner had originally discussed doing this project as a planned development with staff. In this scenario a new road was to have been constructed that connects the collector to Roundtable Drive, the main drive into Hadley Moors Subdivision. This proposed road could possibly still be a result of the development associated with this request but that would not be determined until the subdivision process.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

This site will be served by sanitary sewer and water. No bufferyard is required between R3 and R1.

STAFF COMMENTS:

Petitioner would like to rezone this site to multi-family. This developer had been in discussion with staff for a planned development on this site. As the township land use planning effort is presently underway, staff recommended the planned development process to ensure a higher standard for site, infrastructure, and amenity development since the community had not yet had their say with a completed and adopted land use plan. The developer had initially engaged with staff to this end and very fruitful early discussions resulted in staff clearing the project to submit a PD-rezone with draft plans. The developer, however, withdrew from the PD process and submitted the current petition instead. Approving this proposed rezone would allow multi-family development by right with no guarantees to the community that are normally associated with planned development zoning.

This area of the county is under intense development pressure because of available existing utilities, adjacency to the city limits, and proximity to three schools and an interstate exit. Additionally, the City of West Lafayette can only expand to the north and west over time. The existing single-family zoning has been in place for over 50 years. The existing adopted *Phased Land Use Plan Map* from 1981 mentions this area of Wabash Township as an area of residential expansion. However, the *Plan* is over 40 years old and does not give adequate guidance on how best to manage residential expansion and growth, generally. Until the pending new plan has been adopted, the existing, adopted 1981 *Plan* remains in place and any major by-right development would be premature. Area property owners and other stakeholders have not yet had a chance to make their desires known, and the vetting and analysis associated with the comprehensive planning process has not yet been completed.

Because this site is still under study by the Wabash Township Steering Committee, staff recommends denial until the plan can be completed to help guide our recommendations and future development patterns.

STAFF RECOMMENDATION:

Denial

Z-2890

ORDINANCE NO. 2023-13-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE
COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE
FROM R1 TO R3

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA:

Section 1: The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code is hereby amended to rezone the following described real estate situated in Wabash Township, Tippecanoe County, Indiana

(Legal Description)

Section 2: The above-described real estate should be and the same is hereby rezoned from R1 to R3.

Section 3: This ordinance shall be in full force and effect from and after its adoption.

(Adopted And Passed) (Denied) by the Board Of Commissioners of Tippecanoe County, Indiana, this 15th day of May, 2023.

VOTE:

Y

Tracy A. Brown
Tracy Brown, President

Y

Thomas Murtaugh
Thomas Murtaugh, Vice President

Y

David Byers
David Byers, Member

ATTEST:

Jennifer Weston
Jennifer Weston, Auditor

LEGAL DESCRIPTION

Rezone

Part of the Southeast Quarter of Section 36, Township 24 North, Range 5 West of the Second Principal Meridian, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said Southeast Quarter; thence North 89 degrees 34 minutes 29 seconds West 533.48 feet along the north line of said Southeast Quarter (the basis of bearings is the Indiana Geospatial Coordinate System, Tippecanoe Zone) to the west line of the parcel conveyed to the Board of Commissioners of Tippecanoe County, Indiana in Instrument Number 202222011288, on file in the Office of the Recorder of Tippecanoe County, Indiana, which is the POINT OF BEGINNING, the following four (4) courses are along the west and south lines thereof; 1)thence South 62 degrees 08 minutes 30 seconds East 129.97 feet; 2)thence Southeasterly 784.60 feet along a curve to the right having a radius of 727.00 feet and subtended by a long chord having a bearing of South 31 degrees 13 minutes 27 seconds East and a length of 747.07 feet; 3)thence South 00 degrees 18 minutes 24 seconds East 608.65 feet; 4)thence North 89 degrees 41 minutes 36 seconds East 35.00 feet to the east line of said Southeast Quarter; thence South 00 degrees 18 minutes 24 seconds East 17.61 feet along said east line to the southeast corner of the Northeast Quarter of said Southeast Quarter, thence North 89 degrees 38 minutes 20 seconds West 571.93 feet along the south line of the Northeast Quarter of said Southeast Quarter; thence North 31 degrees 24 minutes 06 seconds West 749.19 feet; thence North 32 degrees 24 minutes 54 seconds East 261.86 feet; thence North 16 degrees 40 minutes 14 seconds West 328.75; thence North 50 degrees 00 minutes 51 seconds West 234.55 feet to said north line; thence South 89 degrees 34 minutes 29 seconds East 555.40 feet along said north line to the POINT OF BEGINNING. Containing 22.108 acres, more or less.